

THE NEW
DECLARATION
OF

Charles III. K. of Spain,

Done from the *Spanish* Original as it was
Printed at L I S B O N.

CHARLES III. by the Grace of God King of *Castile, Leon, Arragon, both Sicilies, Jerusalem, Navarr, Granada, Toledo, Valencia, Gallicia, &c.* Arch-Duke of *Austria*, Duke of *Burgona, Brabant and Milan*, Count of *Alsburgh, Flanders, Tyrol and Barcelona*, Lord of *Biscay, &c.*

To all our Subjects of the Kingdoms, Estates, Provinces and Lordships that compose our Monarchy of *Spain*, of all Estates and Conditions whatsoever.

After We have been Acknowledged and Treated as Legitimate and Rightful King of the Dominions of *Spain*, by the Major Part of the Kings, Princes, and Powers of *Europe*; We find Our Selves in these Frontiers of *Portugal*, with the Troops of Our Allies and Forces Necessary to introduce Us into the Possession of the said Monarchy which by undeniable Right We Pretend to, according to the Fundamental Laws thereof, Established and Declared by the Kingdoms of *Castile* Assembled in *Cortes*, Anno 1619.

And according to the Wills of the Serene Kings, Our Predecessors Don *Philip III.* and Don *Philip IV.* of Glorious Memory:

And according to the Solemn Treaties stipulated with *France*, founded on the Renunciation of the most Serene *Infanta's* (afterward Queens of *France*) Donna *Anna Mauricia*, and Donna *Maria Teresa*: My Ladies and Aunts, with Exclusion from the said Kingdoms and Estates of all Their Issue, as well *Masculine* as *Feminine* of both Marriages: Confirmed with the Sanction of Oaths in the Peace of the *Pyrenes*, and approved by His Holiness *Alexander VII.* in Virtue of which We have obtained undoubted Right to the entire Succession of the said Crown; incapable of being alter'd to Our Prejudice by any Will, altho' made Voluntarily and Freely without the Interventions of Violence and Fraud, which is manifested to the whole World, both the one and the other was used, in that they lately caused the Pious K. *Charles II.* My Lord and Uncle (who is in Glory) to Sign, as He openly Declared to His Confessor, Father *Nicholas de Torres*: The Interpretation of the Law in the aforesaid Will being unjust, and expressly contrary to the Tenor of the Law, if the Capitulations and Renunciations had in view only to avoid the Union of the Two Crowns, and so did not exclude the Second and Third Line, since the Third Clause of Exclusion and Renunciation made by the most Serene Princess Donna *Maria Teresa* says;

“ In Consideration of the Mutual Convenience and other Just Reasons, it's resolved
“ and settled by an Agreement, which their Majesties Declare, shall have the
“ Force and Rigour of a Law Established for the good of their Kingdoms, and the
“ Common Interest thereof, that the most Serene *Infanta* Donna *Maria Teresa*,
“ and the Children which she shall have either Male or Female, and the Descen-

“ dants

“ dants of such Children, whether First, Second, Third or Fourth Line, or any
 “ other from them, proceeding in whatsoever Degrees, shall from this Time for-
 “ ward be incapable to Succeed in these Kingdoms, States, and Lordships of his
 “ Catholick Majesty.

And altho' the Law had not been so Expressive, yet the Exclusion of the Females, only Argued the Interpretation Unjust and Tyrannical ; for these being incapable by the Salique Law, to Succeed to the Crown of *France*, the Danger of Uniting the Two Crowns in them hereby removed : and therefore, this shows that the Balance of the Two Crowns, and the General Good of both Nations and all *Christendom*, was the only Motive for this Royal Law, and Exclusion of that Descent.

Wherefore We have Undertaken this Expedition, and expose Our Life to so many and evident Dangers both by Sea and Land, only to Rescue Our Loving and Faithful Subjects from the Slavery, which the Tyrannical Government of *France* has brought them under ; after having compelled them to Admit and Swear to, as their King, the the Intruding King of *Anjou*, excluded from the Succession, by the very same Laws that he Swore to Maintain, when he Usurp'd the Kingdom. There is nothing more Manifest in *Europe*, than the Low Estate, to which so Glorious a Nation is reduced to. The Chief of the Nobility being Dishonourably Treated, and the whole Order of the *Militia* (too often Victorious over *France*) entirely alter'd by their Perpetual Enemies ; every Step of whom we openly see, Tending to reduce the Dominions of *Spain* to a Province of their Own.

According to the State of Affairs then in *Spain*, Force and Craft were the original Cause of Admitting and Swearing to the Intruding Duke of *Anjou*, and failing in their Obedience to their Rightful King. We solemnly declare this our publick *Act of Amnesty*, That We pardon all our Vassals all sorts of Treason and Felony which was committed by Acknowledging and Swearing to the Duke of *Anjou*, as their Lawful King ; but upon condition nevertheless, That within the term of three Months from the date of this our *Publick Amnesty*, they should Own and Proclaim Us for their Rightful King and Natural Lord ; as we hope they will do, now they see our Arms ready to Succour them, since there remains no Pretext or Colour whatever for their excuse. Wherefore we admonish all Cities, Towns, Villages, as also all Vice-Roys, Governours, Presidents, Courts of Chancery, Courts of Justice, Mayors, Judges, and all other Officers of Justice, and likewise all Grandees, Nobles, Lords, and all the Nobility of that make up the two Branches of the Ecclesiastical and Temporal State of the *Spanish Monarchy*, That they Proclaim us solemnly for their Rightful and Lawful King, agreeing unanimously to throw off the Infamous Yoke, to which they have been so violently subjected, not only against all Justice, but against their own Liberty and Honour, seriously reflecting that they not only are freed from that Oath sworn to the Duke of *Anjou*, being imposed upon them by Force and Artifice, but likewise as having been contrary to the indisputable Justification of our Rights, founded on so many former Titles. It were a new and almost heinous Crime to endeavour to comply with and keep their Faith to an Usurper against their Lawful Lord ; nor is it less a Blemish to the *Spanish Honour*, being enabled by so favourable an Opportunity, under the Security and Protection of our Arms, to recover their antient Lustre, and pass from Servitude to a Gentle Government, that has always treated them more like Sons than Vassals. For we promise, upon our Faith and Royal Word, to preserve all the Privileges, Rights and Customs that they enjoyed in the time of our Royal Predecessors, and upon our said Faith and Royal Word, we offer to reward and favour those that Signalize themselves in so worthy an Undertaking.

But if, contrary to what we expect from the Loyalty, Valour and Honour of our Subjects, there should be some who, obstinately blind in following and maintaining the Party of the Usurper of our Kingdom and their Liberties, should endeavour to resist our Arms, We declare them Enemies to their Country and Rebels to their King ; and as such, shall chastize them with the Punishments established by Law, against Delinquents guilty of High Treason in the first degree, and likewise shall be answerable to God for the Death and Destruction which shall be occasioned by their Rebellion.

L O N D O N :

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 Admiral of Castile's Manifesto. 1704.